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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,149	01/22/2004	Liu Gui Tain	USP2167A-MC4	4186
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RAYMOND Y. CHAN 108 N. YNEZ AVE., SUITE 128 MONTEREY PARK, CA 91754			EXAMINER CHEUNG, VICTOR	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 07/19/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/762,149

Applicant(s)

TAIN, LIU GUI

Examiner

Victor Cheung

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Amendments were received 05/07/2007. Claims 1-20 have been cancelled. Claims 21-35 have been newly added.

Claims 21-35 are now pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker et al. (US Patent Application Publication No. 2002/0123376).

Re Claim 21: Walker et al. disclose a method for managing a card game comprising the steps of reading a card value of each playing card once the playing card is dispensed from a poker dealing device wherein the card value is read by a card reader provided at a dispensing slot of the poker dealing device at a time when the playing card is dispensed out of the poker dealing device, so as to keep the card values of the playing cards in the poker dealing device in a secret manner until the playing cards are dispensed out of the poker dealing device through the dispensing slot (Page 11, Paragraph 131), transmitting the card values of the playing cards as card signals to a central management unit (Page 11, Paragraph 130), recording the card signals to form a game record

corresponding to the card game in a manner that the card game is capable of being tracked (Page 12, Paragraph 145)

Re Claim 22: Walker et al. disclose providing a card indicator at the face side of each of the playing cards to represent the card value, wherein the card indicator is positioned aligning with the card reader such that the card reader reads the card indicator when the respective playing card is dispensed out of the poker dealing device through the dispensing slot (Page 11, Paragraph 131).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (US Patent Application Publication No. 2002/0123376) in view of Franchi (US Patent No. 5,770,533).

Re Claim 23 and 24: Walker et al. disclose the limitations of claim 22.

However, Walker et al. do not specifically teach that the card reader is an optical scanning device reading a barcode of the card indicator, or that the card reader is a magnetic sensor reading a magnetic-sensitive layer of the card indicator.

Franchi teaches that the card readers and the card indicators can operate by use of barcodes or magnetic codes and scanners (Col. 10, Lines 42-48; Fig. 9).

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the card reader and the card indicator operate by use of barcodes or magnetic code, thereby facilitating the monitoring of cards dealt in an efficient manner.

6. Claims 25-28 and 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (US Patent Application Publication No. 2002/0123376) in view of Lorsen et al. (US Patent No. 6,126,166).

Re Claims 25 and 26: Walker et al. disclose the limitations of claims 21 and 22.

However, Walker et al. do not specifically disclose that the card signal is encoded into a digital form before the card signal is transmitted to the central management unit.

Lorsen et al. teach that the card signals are encoded from analog output voltages to digital output signals (Col. 10, Lines 17-23).

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to encode the card signal into a digital form before being transmitted, thereby allowing a digital computer to analyze the signal properly.

Re Claims 27 and 28: Walker et al. disclose that information regarding the cards dealt is transmitted to a central controller (Paragraphs 130-132), wherein the information is transmitted wirelessly (Paragraph 39).

Re Claim 32: Walker et al. disclose that one of the monitoring devices comprise sensors that detect information related to the amount of a player's wager. The wager information may be transmitted and stored to the central management unit (Page 11, Paragraph 130; Page 12, Paragraphs 141 and 145).

However, Walker et al. do not specifically disclose that the card signal and the bet signal are encoded into a digital form before the card signal and the bet signal are transmitted to the central management unit.

As discussed in Claim 25 above, Lorsen et al. teach that the card signals are encoded from analog output voltages to digital output signals (Col. 10, Lines 17-23).

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to encode the bet signal and the card signal into a digital form before being transmitted, thereby providing the central management unit signals that can be readily analyzed.

Re Claim 33: Walker et al. disclose that information transmitted to the central controller is transmitted wirelessly (Paragraph 39).

Re Claims 34-35: Walker et al. disclose that the bet is detected by a weight of chips placed within the betting area to generate the bet signal representing the value of the chips (Paragraph 141).

7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (US Patent Application Publication No. 2002/0123376) in view of Hill et al. (US Patent Application Publication No. 2002/0068635).

Re Claim 29: Walker et al. disclose the limitations of claim 21.

However, Walker et al. do not specifically teach displaying the game record after the card game is over, wherein the game record is a record regarding a status of winning and losing and odds of the card game.

Hill teaches that game play and individual player records should be recorded and displayed, including wins, losses, betting activity, especially for the dealer and management (Paragraph 19).

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to display the game record after the card game is over, thereby increasing the speed and accuracy of the dealer and management in determining the end result of each game.

8. Claims 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (US Patent Application Publication No. 2002/0123376) in view of Lorsen et al. (US Patent No. 6,126,166) as applied to claims 26 and 28 above, and further in view of Hill et al. (US Patent Application Publication No. 2002/0068635).

Re Claims 30 and 31: Walker et al., as modified by Lorsen et al., teach the limitations of claims 26 and 28 above.

However, they do not specifically teach displaying the game record after the card game is over, wherein the game record is a record regarding a status of winning and losing and odds of the card game.

Hill teaches that game play and individual player records should be recorded and displayed, including wins, losses, betting activity, especially for the dealer and management (Paragraph 19).

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to display the game record after the card game is over, thereby increasing the speed and accuracy of the dealer and management in determining the end result of each game.

Response to Arguments

9. Applicant's arguments filed 05/07/2007 have been fully considered but they are not persuasive.

Re Para. 6a: Applicant argues that the card reader in Walker et al. ("Walker") are in the bottom portion of the shoe, not at a dispensing slot as in the claims. However, the Lorson Patent (USPN 6,126,166; "Lorson"), which is the shoe used by Walker, discloses that the card reader is at the dispensing slot (see Figs. 3 and 4).

Re Para. 6b: Applicant argues that the pips and variations of light and dark on the individual cards of Walker are not unique card indicators which are electronically read by the card reader. However, each of the cards' pips and other indicators are indeed unique card indicators which the card reader reads.

Re Para. 6c: As discussed above, the card reader shoe, which is part of the gaming table in Walker, transmits information to the central controller, which is done wirelessly or with a wired connection. The card shoe is one of the many monitoring devices that can be included in the game table.

Re Para. 6d-e: As discussed above, Walker discloses a game table with a plurality of sensors, one of which is a pressure sensor to detect information related to the amount of a player's wager. This information is part of Walker's invention, which, **as a whole**, claims a method of managing a card game (See claims 1-109).

Re Para. 10f: As discussed above, Walker discloses that the card reader is at the dispensing slot. Walker also discloses that the card reader may count pips or variations of light and dark color. Barcodes are a specialized form of variations of light and dark color, being coded parallel bars of varying widths. Franchi teaches a specialized variation of light and dark color – barcodes. Additionally, the scanner of Franchi is indeed at the dispensing slot of the poker dealing device, as seen in Fig. 9.

Re Para. 10g: In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., card signals converted into digital form are from barcodes) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Re Para. 10h: As discussed above, Walker discloses a game table with a plurality of sensors, one of which is a card reader to read card information. This information is part of Walker's invention, which, **as a whole**, claims a method of managing a card game (See claims 1-109).

Re Para. 10i: In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., displaying card records for the purposes of reducing the risk of cheating in a typical poker game) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181,

26 USPQ2d 1057 (Fed. Cir. 1993). Additionally, “the purpose of reducing the risk of cheating in a typical poker game,” even if claimed, would only represent the purpose or intended use of the methods claimed and, where the prior art is capable of performing the intended use, is not distinguishable from the prior art.

Re Para 10j: As discussed above, Walker discloses a game table with a plurality of sensors, one of which is a pressure sensor to detect information related to the amount of a player’s wager. This information is part of Walker’s invention, which, *as a whole*, claims a method of managing a card game (See claims 1-109). As discussed above with regard to paragraph 10i, the use of the pressure sensor to prevent cheating is not claimed, and if the limitation were to be claimed, would only constitute an intended use of the invention.

Conclusion

10. Applicant’s amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Cheung whose telephone number is (571) 270-1349. The examiner can normally be reached on Mon-Fri, 9-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

VC

Victor Cheung
July 16, 2007


RONALD LANEAU
PRIMARY EXAMINER

7/17/07